

ADRIAN NICHOLSON, *et al.*,)
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 Plaintiffs,)
)
 v.) 1:19CV490
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 TITLEMAX OF VIRGINIA, *et al.*,)
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 Defendants.)
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LORETTA C. BIGGS, District Judge.

Courts are divided on whether a federal court may confirm an arbitration award where there is no “live controversy between the parties regarding the award necessitating judicial

enforcement,” and the Fourth Circuit has not resolved the issue in this circuit. *See Brown & Pipkins, LLC v. SEIU*, 846 F.3d 716, 729 n.2 (4th Cir. 2017). However, the Fourth Circuit has recognized that “[a] confirmation proceeding under 9 U.S.C. § 9 is intended to be summary: confirmation can only be denied if an award has been corrected, vacated, or modified in accordance with the Federal Arbitration Act.” *Taylor v. Nelson*, 788 F.2d 220, 225 (4th Cir. 1986). Plaintiff has not asserted such claim concerning the arbitration award at issue here. Therefore, the Court will grant TitleMax’s unopposed motion.

The Court notes that it has previously advised the parties that to further judicial economy, “[t]he most efficient course for the parties would be, in cases where no monetary award has been made and the arbitration award is uncontested, to merely notify the Court of the outcome of the arbitration without filing for confirmation of the award.” *See Goins v. TitleMax of Virginia, Inc.*, No. 1:19CV489, 2021 WL 3856150, at *1–2 (M.D.N.C. Aug. 27, 2021). It is disappointing that TitleMax has not heeded this advice.

ORDER

IT IS THEREFORE ORDERED that the Motion for Confirmation of Arbitration Award, (ECF No. 128), is **GRANTED**.

IT IS FURTHER ORDERED that all counterclaims by Defendant TitleMax of Virginia, Inc., against Plaintiff Sharon Hendricks are **DISMISSED**.

Judgment will be entered simultaneously.

This, the 9th day of May 2023.

/s/Loretta C. Biggs
United States District Judge